IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA) CR. NO. 09-272
v.))) (Judge Kosik)
MARK A. CIAVARELLA, JR.,))
Defendant.	,)

VERDICT FORM

WE, THE JURY, MAKE THE FOLLOWING FINDINGS IN THE ABOVE-CAPTIONED MATTER:

Count One - 18 U.S.C. § 1962(c) (Racketeering)

1. On the charge of conducting and participating in the conduct of the affairs of an enterprise through a pattern of racketeering activity, in violation of 18 U.S.C. § 1962(c), we find the defendant Mark A. Ciavarella, Jr.:

X Guilty _____ Not Guilty

(If the jury finds the defendant "Guilty" of Count One, then the jury must answer Questions 1a through 1m. If the jury finds the defendant "Not Guilty" of Count One, then the jury should skip questions 1a through 1m and should proceed to enter its findings as to the remaining counts of the Indictment.)

- la. Racketeering Act One Honest Services Wire Fraud in violation of Title 18, United States Code, Section 1346.
 - 1(a)(i). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed wire fraud in connection with a wire transfer

of \$610,000	to an	attorney	escrow	bank	account	on
January 21,						

\searrow		
	Yes	 No

1(a)(ii). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed wire fraud in connection with a wire transfer of \$387,600 to an attorney bank account on January 24, 2003?

V		
Δ	Yes	 No

1(a)(iii). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed wire fraud in connection with a wire transfer of \$610,000 to a bank account of Beverage Marketing of Pennsylvania, Inc. on January 28, 2003?

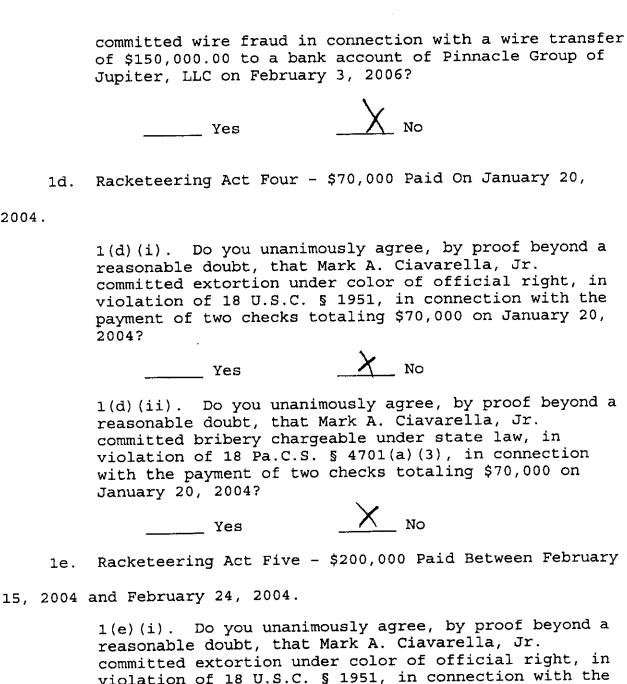
\vee		
	Yes	 No

- 1b. Racketeering Act Two Honest Services Wire Fraud, in violation of 18 U.S.C. § 1346.
 - 1(b). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed wire fraud in connection with a wire transfer of \$1,000,000 to a bank account of Pinnacle Group of Jupiter, LLC on July 15, 2005?



- 1c. Racketeering Act Three Honest Services Wire Fraud, in violation of 18 U.S.C. § 1346.
 - 1(c). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr.

2004.



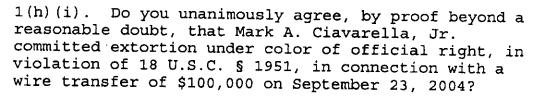
violation of 18 U.S.C. § 1951, in connection with the payment of three checks totaling \$200,000 between February 15, 2004 and February 24, 2004?

_____ Yes

1(e)(ii). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed bribery chargeable under state law, in violation of 18 Pa.C.S. § 4701(a)(3), in connection with the payment of three checks totaling \$200,000

		between February 15, 2004 and February 24, 2004?
		Yes
	1f.	Racketeering Act Six - \$100,000 Paid on April 30, 2004
		1(f)(i). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed extortion under color of official right, in violation of 18 U.S.C. § 1951, in connection with the payment of two checks totaling \$100,000 on April 30, 2004?
		Yes
		1(f)(ii). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed bribery chargeable under state law, in violation of 18 Pa.C.S. § 4701(a)(3), in connection with the payment of two checks totaling \$100,000 on April 30, 2004?
		Yes No
	1g.	Racketeering Act Seven - \$120,000 Wire Transfer on July
12,	2004.	
		1(g)(i). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed extortion under color of official right, in violation of 18 U.S.C. § 1951, in connection with a wire transfer of \$120,000 on July 12, 2004?
		YesNo
		1(g)(ii). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed bribery chargeable under state law, in violation of 18 Pa.C.S. § 4701(a)(3), in connection with a wire transfer of \$120,000 on July 12, 2004?
		YesNo

September 23, 2004.



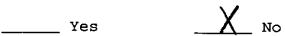


1(h)(ii). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed bribery chargeable under state law, in violation of 18 Pa.C.S. § 4701(a)(3), in connection with a wire transfer of \$100,000 on September 23, 2004?

	\ <u></u>	
 Yes	<u>X</u>	No

- 1i. Racketeering Act Nine \$42,000 Paid on August 16,
 2006.
 - 1(i)(i). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed extortion under color of official right, in violation of 18 U.S.C. § 1951, in connection with a payment of \$42,000 on August 16, 2006?

1(i)(ii). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed bribery chargeable under state law, in violation of 18 Pa.C.S. § 4701(a)(3), in connection with a payment of \$42,000 on August 16, 2006?



- lj. Racketeering Act Ten \$20,000 Paid on November 1, 2006.
 - 1(j)(i). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed extortion under color of official right, in violation of 18 U.S.C. § 1951, in connection with a payment of \$20,000 on November 1, 2006?

lk.

11.

2006.

2006.

\ .
YesNo
1(j)(ii). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed bribery chargeable under state law, in violation of 18 Pa.C.S. § 4701(a)(3), in connection with a payment of \$20,000 on November 1, 2006?
YesNo
Racketeering Act Eleven - \$50,000 Paid on November 20,
1(k)(i). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed extortion under color of official right, in violation of 18 U.S.C. § 1951, in connection with a payment of \$50,000 on November 20, 2006?
YesNo
1(k)(ii). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed bribery chargeable under state law, in violation of 18 Pa.C.S. § 4701(a)(3), in connection with a payment of \$50,000 on November 20, 2006?
YesNo
Racketeering Act Twelve - \$31,500 Paid on December 18,
1(l)(i). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed extortion under color of official right, in violation of 18 U.S.C. § 1951, in connection with a payment of \$31,500 on December 18, 2006? Yes No

1(1)(ii). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed bribery chargeable under state law, in

4.

violation of 18 Pa.C.S. § 4701(a)(3), in connection with a payment of \$31,500 on December 18, 2006?
Yes No
lm. Racketeering Act Thirteen - Money Laundering
Conspiracy, in violation of 18 U.S.C. § 1956(h).
1(m). Do you unanimously agree, by proof beyond a reasonable doubt, that Mark A. Ciavarella, Jr. committed money laundering conspiracy in violation of 18 U.S.C. § 1956(h)?
Yes No
Count Two - 18 U.S.C. § 1962(d) (Racketeering Conspiracy)
2. On the charge of conspiracy to conduct and participate
in the conduct of the affairs of an enterprise through a pattern
of racketeering activity, in violation of 18 U.S.C. § 1962(d), we
find the defendant Mark A. Ciavarella, Jr.:
Guilty Not Guilty
Counts Three through Six - 18 U.S.C. §§ 1343 and 1346 (Honest Services Wire Fraud)
On the charges of Honest Services Wire Fraud, in violation
of 18 U.S.C. §§ 1343 and 1346, we make the following findings as
to the defendant Mark A. Ciavarella, Jr.:
3. Count 3 - \$120,000 Wire Transfer on July 12, 2004:
Guilty X Not Guilty

Count 4 - \$100,000 Wire Transfer on September 23, 2004:

Guilty Not Guilty
_
5. Count 5 - \$1,000,000 Wire Transfer on July 15, 2005:
Guilty Not Guilty
6. Count 6 - \$150,000 Wire Transfer on February 3, 2006:
Guilty Not Guilty
Counts Seven through Ten - 18 U.S.C. §§ 1341 and 1346 (Honest Services Mail Fraud)
On the charges of Honest Services Mail Fraud, in violation
of 18 U.S.C. §§ 1343 and 1346, we make the following findings a
to the defendant Mark A. Ciavarella, Jr.:
7. Count 7 - Mailing of Statement of Financial Interests
in April, 2004:
Guilty Not Guilty
8. Count 8 - Mailing of Statement of Financial Interests
in March, 2005:
Guilty Not Guilty
9. Count 9 - Mailing of Statement of Financial Interests
in April, 2006:
Guilty Not Guilty
10. Count 10 - Mailing of Statement of Financial Interests
in March, 2007:
Guilty Not Guilty
Counts Eleven through Twenty - 18 U.S.C. § 666(a)(1)(B) (Bribery Concerning Programs Receiving Federal Funds)
On the charges of Bribery Concerning Programs Receiving

Federal Fu	nds, we make the following findings as to the defendant
	avarella, Jr.:
11. (Count 11 - Checks totaling \$200,000 paid between
	and February 24, 2004:
_	Guilty Not Guilty
12. C	ount 12 - Checks totaling \$100,000 paid on April 30,
2004:	
	Guilty Not Guilty
13. C	ount 13 - \$120,000 Wire Transfer on July 12, 2004:
	Guilty Not Guilty
14. Co	ount 14 - \$100,000 Wire Transfer on September 23,
2004:	
	Guilty X Not Guilty
15. Co	unt 15 - \$1,000,000 Wire Transfer on July 15, 2005:
	Guilty Not Guilty
16. Co	unt 16 - \$150,000 Wire Transfer on February 3, 2006:
	Guilty Not Guilty
17. Co	unt 17 - \$42,000 payment on August 16, 2006:
	GuiltyX Not Guilty
	int 18 - \$20,000 payment on November 1, 2006:
 _	Guilty Not Guilty
19. Cou	nt 19 - \$50,000 payment on November 20, 2006:
	Guilty Not Guilty
20. Cou	nt 20 - \$31,500 payment on December 18, 2006:

Guilty Not Guilty
Count Twenty-One - 18 U.S.C. § 1956(h) (Money Laundering Conspiracy)
21. On the charge of money laundering conspiracy, in
violation of 18 U.S.C. § 1956(h), we find the defendant Mark A.
Ciavarella, Jr.:
Guilty Not Guilty
Counts Twenty-two through Twenty-six 18 U.S.C. § 1956(a)(1)(B)(1) (Money Laundering)
On the charges of Money Laundering, in violation of 18
U.S.C. § 1956(a)(1)(B)(1), we make the following findings as to
the defendant Mark A. Ciavarella, Jr.:
22. Count 22 - Checks totaling \$70,000 deposited on January
20, 2004:
Guilty X Not Guilty
23. Count 23 - Checks totaling \$200,000 deposited on
February 24, 2004:
Guilty X Not Guilty
24. Count 24 - Checks totaling \$100,000 deposited on May 3,
2004:
Guilty Not Guilty
25. Count 25 - \$120,000 Wire Transfer on July 12, 2004:
Guilty X Not Guilty
26. Count 26 - \$100,000 Wire Transfer on September 23,
10

2004:
Guilty X Not Guilty
Counts Twenty-seven through Thirty-four
18 U.S.C. § 1951 (Extortion Under Color of Official Right)
On the charges of Extortion Under Color of Official Right,
in violation of 18 U.S.C. § 1951, we make the following findings
as to the defendant Mark A. Ciavarella, Jr.:
27. Count 27 - Three checks totaling \$200,000 paid between
February 15 and February 24, 2004:
Guilty Not Guilty
28. Count 28 - Two checks totaling \$100,000 paid on April
30, 2004:
Guilty Not Guilty
29. Count 29 - \$120,000 Wire Transfer on July 12, 2004:
Guilty Not Guilty
30. Count 30 - \$100,000 Wire Transfer on September 23,
2004:
Guilty Not Guilty
31. Count 31 - \$42,000 payment on August 16, 2006:
Guilty X Not Guilty
32. Count 32 - \$20,000 payment on November 1, 2006:
Guilty Not Guilty
33. Count 33 - \$50,000 payment on November 20, 2006:
Guilty Not Guilty
11

34. Count 34 - \$31,500 payment on December 18, 2006:
Guilty Not Guilty
Count Thirty-five 18 U.S.C. § 371 (Conspiracy to Defraud the United States)
35. On the charge of Conspiracy to Defraud the United
States, in violation of 18 U.S.C. § 371, we find the defendant
Mark A. Ciavarella, Jr.:
Guilty Not Guilty
Counts Thirty-six through Thirty-nine 26 U.S.C. § 7206(1) (Subscribing and Filing a Materially False Tax Return)
On the charges of Subscribing and Filing a Materially False
Tax Return, in violation of 26 U.S.C. § 7206(1), we make the
following findings as to the defendant Mark A. Ciavarella, Jr.:
36. Count 36 - IRS Form 1040 filed on or about April 15,
2004:
Guilty Not Guilty
37. Count 37 - IRS Form 1040 filed on or about April 15,
2005:
Guilty Not Guilty
38. Count 38 - IRS Form 1040 filed on or about April 15,
2006:
Guilty Not Guilty

	39.	Count	39 -	IRS	Form	1040	filed	on	or	about	April	15,
2007	:	\ \ \										
		<u>X</u>	_ Gui	lty		Not	Guilt	У				
			,									
Dated	l:	02/18	3/20)//								
							JURY	FC	REF	ÉRSON		